

1999 DRAFTING REQUEST

Assembly Amendment (AA-ASA(LRBs0476/3)-AB892)

Received: **03/22/2000**

Received By: **shoveme**

Wanted: **As time permits**

Identical to LRB:

For: **Antonio Riley (608) 266-0645**

By/Representing: **Dan**

This file may be shown to any legislator: **NO**

Drafter: **shoveme**

May Contact:

Alt. Drafters:

Subject: **Munis - miscellaneous**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Professioanl football district; minority contracting

Instructions:

See attached. Add minority contracting goals, similar to what was done in the Brewers' bill. See lang. in SB 493, but goals are 15% minority participation.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	shoveme 03/23/2000	wjackson 03/23/2000		_____			
/1			jfrantze 03/23/2000	_____	lrb_docadmin 03/23/2000	lrb_docadmin 03/23/2000	
/2	shoveme 03/24/2000	wjackson 03/24/2000	jfrantze 03/24/2000	_____	lrb_docadmin 03/24/2000	lrb_docadmin 03/24/2000	

FE Sent For:

1999 DRAFTING REQUEST

Assembly Amendment (AA-ASA(LRBs0476/3)-AB892)

Received: **03/22/2000**

Received By: **shoveme**

Wanted: **As time permits**

Identical to LRB:

For: **Antonio Riley (608) 266-0645**

By/Representing: **Dan**

This file may be shown to any legislator: **NO**

Drafter: **shoveme**

May Contact:

Alt. Drafters:

Subject: **Munis - miscellaneous**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Professioanl football district; minority contracting

Instructions:

See attached. Add minority contracting goals, similar to what was done in the Brewers' bill. See lang. in SB 493, but goals are 15% minority participation.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	shoveme 03/23/2000	wjackson 03/23/2000					
/1		12 3/24 WJ	jfrantze 03/23/2000		lrb_docadmin 03/23/2000	lrb_docadmin 03/23/2000	

FE Sent For:

12 MES 3/24/00
3/24
Jb/ck
3/24
END

1999 DRAFTING REQUEST**Assembly Amendment (AA-ASA(LRBs^{476/3}0459)-AB892)**

Received: 03/22/2000

Received By: shoveme

Wanted: As time permits

Identical to LRB:

For: Antonio Riley (608) 266-0645

By/Representing: Dan

This file may be shown to any legislator: NO

Drafter: shoveme

May Contact:

Alt. Drafters:

Subject: Munis - miscellaneous

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Professional football district; minority contracting

Instructions:

See attached. Add minority contracting goals, similar to what was done in the Brewers' bill. See lang. in SB 493, but goals are 15% minority participation.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1/?	shoveme	1 WJ 3/23		CMT/WJ			
11 MES	3/23/00	63/23		9	27		

FE Sent For:

<END>

Shovers, Marc

From: Lorentz, Daniel
Sent: Wednesday, March 22, 2000 4:41 PM
To: Shovers, Marc

Attached is a drafting request from Rep. Antonio Riley for an amendment related to the Lambeau Field.



packer stadium drafting
instru...

Daniel Lorentz
Aide to Rep. Antonio R. Riley
Phone: 608.266.0645
Toll-free (for Wisconsin residents only): 1.888.534.0018
Email: Daniel.Lorentz@legis.state.wi.us
Mailing address:
Rep. Antonio Riley
PO Box 8953
Madison, WI 53708

TO: Marc Shovers, Legislative Reference Bureau
FROM: State Representative Antonio R. Riley
DATE: March 22, 2000
RE: Drafting instructions for minority/women participation goals for Packer stadium

M E M O R A N D U M

This memo contains drafting instructions for an amendment to the Lambeau Field renovation proposal (Assembly Bill 892).

The amendment would establish minority and women business and worker participation goals and requirements.

The provisions I am requesting should be modeled on the minority and women participation provisions that were part of the Brewer baseball stadium. A copy of those provisions—Section 229.70 Minority contracting goals. Wis. Stats.—is attached. One key difference from the Miller Park provisions, should be highlighted at the outset: for the Packer stadium, I am seeking minority contracting and hiring goals of 15 percent, not 25 percent (as is the case with Miller Park project).

In addition to mirroring all of the Brewer stadium minority contracting goals and requirements (with the 15 percent goal), the provisions I am requesting include the following:

- a requirement for a Legislative Audit Bureau report on the district's effort to meeting minority participation goals;
- a requirement that the football stadium adopt minority monitoring and compliance procedures similar to those used by the Southeastern Wisconsin Professional Baseball District;



- a requirement that the minority and women contracting and hiring goals remain in place in the event that insurance-funded repair work on the stadium project is needed.
- a requirement that the district in arranging any contracts for post-construction management of Lambeau field ensure that that contract contains provisions to reach levels of participation for minorities and women equivalent to those in the construction phase of the project.

Key provisions

Contracting with minority businesses (15% goal). Require that the district (or whatever administrative entity responsible for the stadium renovation project) establish a goal to ensure that minority businesses receive at least 15 percent of contracts awarded in each of the following categories:

- construction
- professional services (including design and environmental work)
- development services (including legal, accounting and auditing work)

Contracting with women-owned businesses (5% goal). Require that the district (or whatever administrative entity responsible for the stadium renovation project) establish a goal to ensure that women-owned businesses receive at least 5 percent of contracts awarded in each of the following categories:

- construction
- professional services (including design and environmental work)
- development services (including legal, accounting and auditing work)

Hiring of minority employees (15% goal). Require the district to require that all of its contractors adopt goals to ensure that at least 15% of all employees hired specifically for project-related work (in all contracting categories) be minorities.

Hiring of women employees (5%). Require the district to require that all of its contractors adopt goals to ensure that at least 5% of all employees hired specifically for project-related work (in all contracting categories) be women.

Independent monitoring / compliance procedures. Require the district to hire an independent monitor to evaluate the district's efforts in attaining the minority and women contracting and hiring goals. Furthermore, require the district to adopt minority monitoring and compliance procedures similar to those used by the Southeastern Wisconsin Professional Baseball District.

Legislative Audit Bureau audit requirement. Require that the Legislative Audit Bureau prepare and issue a report evaluating the district's success in meeting the minority and women hiring and contracting goals.

Applicability of goals for repair work. Require that the minority and women contracting and hiring goals for the stadium project remain in place in the event that insurance-funded repair work on the stadium project is needed.

Post-construction participation levels. Requirement that the district in arranging any contracts for post-construction management of Lambeau field ensure that that contract contains provisions to reach levels of participation for minorities and women equivalent to those in the construction phase of the project.

Attachment

Shovers, Marc

From: Lorentz, Daniel
Sent: Thursday, March 23, 2000 11:39 AM
To: Shovers, Marc

Marc--

Here's a change to the original drafting request made by Rep. Riley.

Post-construction participation levels.

Require that the district in arranging any contracts for post-construction management of Lambeau field ensure that that contract contains provisions to reach levels of participation for minorities and women equivalent to those in the construction phase of the project. (An exception to this requirement would be made should the district contract with a municipality for post-construction management.)

Thanks.

Could you also contact me regarding whether Riley's requests have been incorporated in the substitute amendment (which we hope they have been.)

Daniel Lorentz
Aide to Rep. Antonio R. Riley
Phone: 608.266.0645
Toll-free (for Wisconsin residents only): 1.888.534.0018
Email: Daniel.Lorentz@legis.state.wi.us
Mailing address:
Rep. Antonio Riley
PO Box 8953
Madison, WI 53708

req. that min K goals
~~distinguish~~ between apply to
prof services & other services,
but city don't have to meet
the goals

ensure the $\frac{1}{K}$ ^{min} ~~required~~ goals apply to
whoever the actor is -- the Dist, the team
or related parties

Shovers, Marc

From: Lorentz, Daniel
Sent: Thursday, March 23, 2000 3:33 PM
To: Shovers, Marc

Marc--

Rep. Riley definitely wants to include language in the Packer bill making explicit that the minority participation requirements not only apply to the district, but also to whatever entity (such as the Packers) the district delegate any authority or contract with for the Lambeau renovation project...including both construction and post-construction phases.

Daniel Lorentz
Aide to Rep. Antonio R. Riley
Phone: 608.266.0645
Toll-free (for Wisconsin residents only): 1.888.534.0018
Email: Daniel.Lorentz@legis.state.wi.us
Mailing address:
Rep. Antonio Riley
PO Box 8953
Madison, WI 53708



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa1979/1
MES. w/14

FM NR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT (LRBs0444),
TO 1999 ASSEMBLY BILL 892

P-note

476/3
↑
please
fix
request
sheet

Now -
or as soon
as possible

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 1, line 13: after "district," insert "creating goals for the participation
3 of minority and women's businesses in contracts related to the construction or
4 renovation of football stadium facilities."

5 (6) Annually the legislative audit bureau shall conduct an audit of the district's
6 efforts to achieve the minority participation and women participation hiring and
7 contracting goals contained in this section. The audit bureau shall distribute a copy
8 of each audit report under this subsection to the district, to the cochairs of the joint
9 committee on finance and to the cochairs of the joint audit committee.

10 (7) The goals under subs. (2) and (3) shall apply to all of the following:

11 (a) Any insurance-funded repair work on football stadium facilities.

INS
1-4

1 (b) Any post-construction contract for management of football stadium
2 facilities, except that this paragraph does not apply if post-construction
3 management is provided by a political subdivision.

4 (c) Any contractor, subcontractor or any other person who is awarded or enters
5 into a contract that relates to the construction or renovation of football stadium
6 facilities that are financed by the proceeds of bonds issued under s. 229.824 (8),[✓] or
7 any subcontractor of such a person.”.

8 (END)

P-note

✓ Created s. 229.8273 (7)(c)[✓]
contains the specific provision you requested,
but I believe that it is redundant and
is already covered by the language in
s. 229.8273 (2) and (3).[✓]

MZA

SENATE BILL 493

SECTION 8

INS. 1-4 0.1.04
#. Page 35, line 14: after that line insert:

1 ~~an ordinance authorizing the issuance of the bonds or notes and unless the county~~
 2 ~~board's ordinance is approved by the majority of the electors in the county voting on~~
 3 ~~the ordinance at a referendum to be held at the next September primary occurring~~
 4 ~~not earlier than 45 days after enactment of the ordinance. The question to be~~
 5 ~~submitted shall be specified by the county board. A referendum held under this~~
 6 ~~paragraph satisfies the condition specified in sub. (1) (a) in lieu of the procedure~~
 7 ~~specified in this sub. (1) (a).~~

8 (c) If a county issues bonds under s. 67.05 or promissory notes under s. 67.12
 9 (12), for purposes related to football stadium facilities, the aggregate principal
 10 amount of all such bonds or promissory notes, other than refunding bonds, may not
 11 exceed \$160,000,000.

12 (d) A county that issues bonds under s. 67.05 or promissory notes under s. 67.12
 13 (12) for purposes related to the construction or renovation of football stadium
 14 facilities shall enter into a contract with a professional football team or a related
 15 party that requires the professional football team or related party to construct or
 16 renovate the football stadium facilities, unless the county determines that it is not
 17 feasible to do so. Any contract for the construction or renovation of football stadium
 18 facilities that is financed in whole or in part by the proceeds of bonds or notes that
 19 are issued in accordance with this subsection is subject to s. 66.293, without regard
 20 to whether the contract is entered into by the county, the professional football team

21 ~~or a related party.~~

229,8273. Minority, (B) women contracting. ym
Page 35, line 14: after that line insert:
 22 ~~(1) In this paragraph:~~ section

23 (b) "Minority business" has the meaning given in s. 560.036 (1) (e).

24 (c) "Minority group member" has the meaning given in s. 560.036 (1) (f).

a professional football team, as described
 (A) "Contractor" means *any person who enters into a contract*
other
for construction or renovation work or professional services contracts,
as described in sub. (2).

MS 1-4
1.2.04

1 (d) "Women's business" means a sole proprietorship, partnership, joint venture
2 or corporation that is at least 51% owned, controlled and actively managed by
3 women.

4 (2) ^{district} A ~~county~~ shall ensure that, for construction or renovation work and
5 professional services contracts that relate to the construction or renovation of
6 football stadium facilities that are financed by the proceeds of bonds issued under s.
7 ~~67.05~~ or promissory notes issued under s. ~~67.12~~ ^{229.824(8)✓}, a person who is awarded such
8 a contract by the ~~county~~ ^{district or by a contractor} shall agree, as a condition to receiving the contract, that his
9 or her goal shall be to ensure that at least ~~25%~~ ^{15%} of the employees hired because of the
10 contract will be minority group members and at least 5% of the employees hired
11 because of the contract will be women.

12 (3) ^{district} It shall be a goal of the ~~county~~ to ensure that at least ~~25%~~ ^{15%} of the aggregate
13 dollar value of contracts that relate to the construction or renovation of football
14 stadium facilities that are financed by the proceeds of bonds issued under s. ~~67.05~~ ^{229.824(8)✓}
15 or promissory notes issued under s. ~~67.12~~ ^{(18)✓}, shall be awarded to minority
16 businesses and at least 5% of the aggregate dollar value of contracts awarded by the
17 board shall be awarded to women's businesses.

18 (4) ^(a) ^{district} The ~~county~~ shall ensure that, for construction or renovation work and
19 professional services contracts described under ~~sub. (2)~~ ^{sub. (2)✓}, a person who is awarded
20 such a contract by the ~~county~~ ^{district or by a contractor} shall agree, as a condition to receiving the contract, that
21 if he or she is unable to meet the goal under ~~sub. (2)~~ ^{sub. (2)}, he or she shall make a good faith
22 effort to contract with the technical college district board of the technical college
23 district in which the football stadium facilities are to be constructed or renovated, or
24 the professional services contract is to be performed, to develop appropriate training

SENATE BILL 493

SECTION 8

1 programs designed to increase the pool of minority group members and women who
 2 are qualified to perform the construction work or professional services.

3 (b) ^{district} If the ~~county~~ is unable to meet the goals under ^{sub.(3)} ~~subd. 2~~, the ~~county~~ ^{district} shall make
 4 a good faith effort to contract with the technical college district board of the technical
 5 college district in which the contracts described under ^{sub.(3)} ~~subd. 2~~ are to be performed
 6 to develop appropriate training programs designed to increase the pool of minority
 7 group members and women who are qualified to perform the contracts described

8 under ~~subd. 2~~ ^{sub.(3)}
 9 (5) (a) ^{district} The ~~county~~ shall hire an independent person to monitor the ~~county~~ ^{districts and the contractors'}
 10 compliance with minority contracting goals under ^{subs. (2) and (3)} ~~subd. 2 and 3~~. The person hired
 11 shall have previous experience working with minority group members. The ~~county~~ ^{district}
 12 shall develop a mechanism to receive regular reports from the person hired with
 13 respect to the results of the person's studies of compliance with minority contracting
 14 goals.

15 (b) ^{district} If the ~~county~~ or a contractor is unable to meet the goals under ^{sub. (2) or (3)} ~~subd. 2 and 3~~,
 16 the person hired under ^{par. (a)} ~~subd. 5~~ shall assess whether the ~~county~~ ^{district} or contractor
 17 made a good faith effort to reach the goals. In determining whether a good faith effort
 18 was made to meet the goals, the person hired shall consider all of the ^{following} ~~factors listed~~
 19 ~~in subd. 2~~.

20 6. ~~The factors to be considered under subd. 5. b. are:~~

21 1. ~~a.~~ The supply of eligible minority businesses and women's businesses that have
 22 the financial capacity, technical capacity and previous experience in the areas in
 23 which contracts were awarded.

SENATE BILL 493

ind
1-4
p.404

- 1 2. ~~in~~ The competing demands for the services provided by eligible minority
2 businesses and women's businesses, as described in ~~the~~ subd. ~~2~~ ¹⁰, in areas in which
3 contracts were awarded.
- 4 3. ~~in~~ The extent to which the ~~board~~ ^{district} or contractors advertised for and aggressively
5 solicited bids from eligible minority businesses and women's businesses, as described
6 in ~~the~~ subd. ~~2~~ ¹⁰, and the extent to which eligible minority businesses and women's
7 businesses submitted bids.

(END)

of ind 1-4

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa1979/1dn
MES:wlj:jf

March 23, 2000

Created s. 229.8273 (7) (c) contains the specific provision you requested, but I believe that it is redundant and is already covered by the language in s. 229.8273 (2) and (3).

Marc E. Shovers
Senior Legislative Attorney
Phone: (608) 266-0129
E-mail: Marc.Shovers@legis.state.wi.us

Shovers, Marc

From: Riley, Antonio
Sent: Friday, March 24, 2000 10:13 AM
To: Shovers, Marc

Marc--

Thanks for the minority participation amendment (LRB 1979/1), and your patience in dealing with my constant calling.

Antonio wants to make two changes to the draft--both relatively minor I hope.

1. on page 3, line 9...after the word "monitor" add the following: "and project coordinator to satisfy"...

(The point of this change is to get at our intent to have the district follow the successful example of Miller Park, which has an active project coordinator who works to ensure that Miller Park complies with its minority hiring and contracting goals)

2. on page 4, relating to (7) b...We'd like to see a new (7) b that reads something like this...

(b) Any post-construction contract for management of football stadium facilities including professional services and development services, except that this paragraph does not apply for any post-construction contract for general maintenance of football stadium facilities that is provided by a political subdivision.

Please make this version of the amendment amend whatever is the latest version of the substitute amendment.

Daniel Lorentz
Aide to Rep. Antonio R. Riley
Phone: 608.266.0645
Toll-free (for Wisconsin residents only): 1.888.534.0018
Email: Daniel.Lorentz@legis.state.wi.us
Mailing address:
Rep. Antonio Riley
PO Box 8953
Madison, WI 53708



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa1979/1

MES:wlj/jf

RMR

ASSEMBLY AMENDMENT,
TO ASSEMBLY SUBSTITUTE AMENDMENT (LRBs0476/3),
TO 1999 ASSEMBLY BILL 892

Now

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 1, line 13: after "district;" insert "creating goals for the participation
3 of minority and women's businesses in contracts related to the construction or
4 renovation of football stadium facilities."

5 2. Page 35, line 14: after that line insert:

6 "229.8273 Minority and women contracting. (1) In this section:

7 (a) "Contractor" means a professional football team, as described under s.
8 229.823, or a related party or any other person who enters into a contract for
9 construction or renovation work or professional services contracts, as described in
10 sub. (2).

11 (b) "Minority business" has the meaning given in s. 560.036 (1) (e).

12 (c) "Minority group member" has the meaning given in s. 560.036 (1) (f).

1 group members and women who are qualified to perform the construction work or
2 professional services.

3 (b) If the district is unable to meet the goals under sub. (3), the district shall
4 make a good faith effort to contract with the technical college district board of the
5 technical college district in which the contracts described under sub. (3) are to be
6 performed to develop appropriate training programs designed to increase the pool of
7 minority group members and women who are qualified to perform the contracts
8 described under sub. (3).

9 (5) (a) The district shall hire an independent person to monitor *and a project coordinator to satisfy* the district's
10 and the contractor's compliance with minority contracting goals under subs. (2) and
11 (3). The person hired shall have previous experience working with minority group
12 members. The district shall develop a mechanism to receive regular reports from the
13 person hired with respect to the results of the person's studies of compliance with
14 minority contracting goals.

15 (b) If the district or a contractor is unable to meet the goals under sub. (2) or
16 (3), the person hired under par. (a) shall assess whether the district or contractor
17 made a good faith effort to reach the goals. In determining whether a good faith effort
18 was made to meet the goals, the person hired shall consider all of the following
19 factors:

20 1. The supply of eligible minority businesses and women's businesses that have
21 the financial capacity, technical capacity and previous experience in the areas in
22 which contracts were awarded.

23 2. The competing demands for the services provided by eligible minority
24 businesses and women's businesses, as described in subd. 1., in areas in which
25 contracts were awarded.